

## Sullivan County NH

**Type of meeting:** Board of Commissioners – Regular Business Meeting  
Public Session

**Date/Time:** Tuesday, August 21, 2007; 3PM

**Place:** Unity County Complex, Sullivan County Health Care  
Facility, 5 Nursing Home Drive - Activities Room

**Attendees:** Commissioners Ethel Jarvis – *Chair*, Bennie Nelson – *Vice Chair* and Jeffrey Barrette – *Clerk*; Ed Gil de Rubio – *County Manager*; Dave Laplante – *Sullivan County Health Care Interim Administrator*; Greg Chanis – *Facilities & Operations Director*; Peter Farrand – *Human Resources Director*; Ross Cunningham – *DOC Superintendent* (arrived later in meeting); Sharon Johnson-Callum (*minute taker*).

**Special guests:** Barbara Brill – *Executive Director of the Community Alliance of Human Services (CAHS)* and *CAHS Board member/Newport Chamber of Commerce Director* - Ella Casey.

**Public attendees:** State/County Delegates Peter Franklin (arrived later in meeting) and Larry Converse.

**3:00** The meeting was brought to order by *Chair*, Ethel Jarvis. Representative Converse led the *Pledge of Allegiance*.

### AGENDA ITEM NO. 1 MEETING MINUTES

#### AGENDA ITEM NO. 1.A. JULY 17, 2007 REGULAR BUSINESS MEETING MINUTES - PUBLIC

**3:04** A motion was made, by Commissioner Nelson, to accept the minutes [of July 17, 2007] as printed. Commissioner Barrette seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

#### AGENDA ITEM NO. 1.B. JULY 17, 2007 4:05 P.M. EXECUTIVE SESSION MINUTES

**3:05** A motion was made, by Commissioner Barrette, to accept and seal the [July 17, 2007 4:05 Executive Session] meeting minutes until the parties named are no longer employed by the County – to review these minutes in one year. Commissioner Nelson seconded that motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.

#### AGENDA ITEM NO. 1.C. JULY 17, 2007 5:46 P.M. EXECUTIVE SESSION MINUTES

**3:06** A motion was made, by Commissioner Nelson, to accept the [July 17, 2007 5:4 p.m.] minutes and to permanently seal them. Commissioner Barrette

**seconded the motion. Discussion: will be placed in personnel file. A voice vote was taken. The motion carried, unanimously.**

**AGENDA ITEM NO. 1.D. JULY 17, 2007 6:07 P.M. EXECUTIVE SESSION MINUTES**

Mr. Gil de Rubio confirmed he would consult with the County Attorney on the issue.

**3:07 A motion was made, by Commissioner Barrette, to accept and seal the [July 17, 2007 6:07 p.m. Executive Session] minutes and to review them in one month. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

**AGENDA ITEM NO. 1.E. JULY 17, 2007 6:28 P.M. EXECUTIVE SESSION MINUTES**

**3:07 A motion was made, by Commissioner Barrette, to approve and release the July 17, 2007 6:28 p.m. meeting minutes. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

**AGENDA ITEM NO. 1.F. JULY 17, 2007 6:35 P.M. EXECUTIVE SESSION MINUTES**

**3:08 A motion was made, by Commissioner Barrette, to approve and release the July 17, 2007 6:35 p.m. meeting minutes. Commissioner Nelson seconded the motion. There was no further discussion. A voice vote was taken. The motion carried, unanimously.**

**AGENDA ITEM NO. 1.G. AUGUST 7, 2007 PUBLIC MEETING MINUTES**

Commissioner Barrette noted he did not attend that meeting.

**3:09 A motion was made, by Commissioner Nelson, to approve the August 7<sup>th</sup> minutes as written. Commissioner Jarvis seconded the motion. There was no discussion. Commissioner Jarvis and Nelson were both in favor. Commissioner Barrette abstained from the vote. The motion carried, with the majority.**

**AGENDA ITEM NO. 1.H. AUGUST 7, 2007 3:58 P.M. EXECUTIVE SESSION**

Mr. Gil de Rubio recommended they keep sealed and review later.

**3:10 A motion was made, by Commissioner Nelson, to approve and seal the [August 7, 2007 Executive Session] minutes until their second meeting in September. Commissioner Jarvis seconded the motion. There was no further discussion. A voice vote was taken. Commissioner Jarvis and Nelson voted in favor. Commissioner Barrette abstained from the vote. The motion carried, with the majority.**

**AGENDA ITEM NO. 2 COMMUNITY ALLIANCE OF HUMAN SERVICES**

Barbara Brill noted, per request of the Commissioners, she attended today's meeting to provide updates on the Community Alliance of Human Services two divisions: Transportation and Family Services. The County Commissioner Chair requested Ms. Brill to provide future updates at their Newport complex. Ms. Brill will do so on a quarterly basis.

- Transportation Division Updates - Ms. Brill reviewed FY 07 end of year transportation ridership increases, which included increases in rider-ship in the Claremont corridor. The Alliance is active in the senior advocate and mobility groups, and has seen a rising level of awareness in their transportation services. Ms. Brill discussed changes to take effect 9/4/07 with the expansion of their routes and hours in both Claremont and Newport. Ms. Brill discussed the MOU collaboration with the Connecticut Valley Transit, with a connector route from Claremont to Ascutney Park & Ride; the bus leaves from there to Dartmouth and to the upper valley region. She noted the City of Claremont provided funding for the connector route project, also. They received three (3) new vehicles: 80% of the funding from NH State Dept. of Transportation with 10% from community as local match.
- Family Services Division Updates - Ms. Brill distributed a copy of the program statistics (on file at the Commissioners Office in the meeting minutes binder), separated by each town in the county, and discussed the increases in service use: 40% increase in the STARD group and 40% with the teen group. Total usage is 288: 51 Outreach Community Services, 36 Family Resource, 76 Diversion, 23 STARD, 11 Y.E.S., 22 Tobacco Options, 9 ADAC, and 60 TAAP. Clients served come from 13 of the 15 towns in Sullivan.

Mr. Gil de Rubio asked, with the increase in rider ship, if they'd seen an increase in young adults using the transportation services? Ms. Brill indicated "yes" and discussed students using the buses on a daily bases from Newport to St. Mary's, picking up students at the end of school day, plus their collaboration with the young adult employment work program - providing transportation to work places. Ms. Brill noted their bus comes out to the County's Unity complex twice a day, on fixed runs; and, she spoke regarding discussions with Mr. Gil de Rubio on County work enforcement, resident family, and THU needs. Ms. Brill, Mr. Cunningham and Mr. Gil de Rubio will meet to review services in a month. Commissioner Barrette asked if they were working with the UVLSRPC Executive Director on routes? Ms. Brill confirmed, "yes" and noted the UVLSRPC contracted with the Dept. of Transportation (DOT) for a coordinated transportation plan that included public input. She indicated they also contracted with DOT for short range planning; and, are working with the Community Mobility Program on planning. She noted they work to avoid overlap of programs and resources. Ms. Brill briefly discussed the recent news article, noting reviewers were at CAHS for an annual visit and provided her with clear direction on where they want to move. The DOT has worked closely with them and has created a stronger relationship. They have not received the final review, but have requested a letter that would confirm CAHS is in compliance with the draft. She completed her updated, noting they have a fabulous Fiscal Director and competent Transportation Director.

**AGENDA ITEM NO. 7.C.**

**COUNTY MANGER'S REPORT: \$31,246 JUVENILE JUSTICE**

**PLANNING GRANT**

Mr. Gil de Rubio indicated formal authorization was required to enter into and accept the Juvenile Justice planning grant of \$31,246.

- 3:28 A motion was made, by Commissioner Barrette, to authorize the County Manager to sign the Juvenile Justice planning grant and authorize the County to accept it [the funds of \$31,246]. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

*Mr. Gil de Rubio signed and dated the agreement, with Mr. Farrand notarizing his signature. (This agreement is on file at the Commissioners Office, meeting minutes binder).*

**AGENDA ITEM NO. 3. HUMAN RESOURCES PROBABLE EXECUTIVE SESSION PER RSA 91-A:II.C. – PERSONNEL**

- 3:30 A motion was made, by Commissioner Nelson, to go into Executive Session for a personnel issue [Per RSA 91-A:II.c.]. Commissioner Barrette seconded the motion. There was no discussion. A roll call vote was taken. The motion carried, unanimously.**

*3:31 The group left the room to reconvene down the hall in the Business Conference Room.*

- 3:36 A motion was made, by Commissioner Barrette, to come out of Executive Session. Commissioner Nelson seconded the motion. A voice vote was taken. The motion carried, unanimously.**

*The group returned to the Activities Room.*

Attendees at this point included: Representative Franklin, Ross Cunningham, Dave Laplante, Representative Larry Converse, Greg Chanis, Peter Farrand, the three Commissioners, Mr. Gil de Rubio and Sharon Johnson-Callum.

- 3:39 A motion was made, by Commissioner Barrette, to deny the request from the employee, discussed in Executive Session, for a FMLA extension and direct the Human Resource Director to explain their options and move forward with Sullivan County Health Care report. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

**AGENDA ITEM NO. 6. SULLIVAN COUNTY HEALTH CARE REPORT**

**AGENDA ITEM NO. 6.F. STAFFING**

Mr. Farrand noted they interviewed a Director of Nursing candidate and are receiving inquiries for the Nursing Home Administrator position. He noted they are down four (4)

spots on the 3-11 shift, down two (2) on the 11-7 shift, and will be shifting employees around as some have requested to go to days or to other shifts. On the second shift they are searching for 2 LMNA's, and three (3) RNS and two (2) LPN's on the 3-11 shift. He noted they are fully staffed in the following departments: Housekeeping, Food Services and Activities. He concluded by noting the preliminary interviews for the Coordinator of Admissions was complete and anticipates filling the position by next week. Mr. Laplante noted they were seeing a number of new applications. He indicated peak vacation time, July and August, is settling down and will work for employees to spread out vacations in the future, remaining sensitive with seniority. Mr. Farrand and Mr. Gil de Rubio confirmed it was call outs received hurting the County. They are working diligently with the Union, Human Resource and Administration on this issue. Mr. Gil de Rubio will update the Board on the call out issue at the next Unity meeting.

**NON AGENDA ITEM: PAY RATES**

Commissioner Jarvis questioned why the salary range was different on the Employee Position Listing (EPL) from an LPN to a person at the Department of Corrections (DOC) with the same grade. Mr. Farrand pointed out the position she was referring to in the DOC was per diem, a person coming in with no benefits, used at will, with no set schedule. Commissioner Jarvis feels the Housekeeping position minimum base rate is unreasonable at \$8.16. Mr. Farrand noted for every year of experience, an employee moves up one step and salary increases of 3-5%. Commissioner Jarvis requested they review this latter issue during the FY '09 budget process. She indicated she checked around and could see why they don't attract people at this base rate. Commissioner Barrette concurred this was a good topic for attracting employees, but this current meeting was not the forum. Mr. Laplante interjected he would meet with Mr. Farrand to discuss how they compare to market driven rates and include current rates in the next budget. Mr. Gil de Rubio noted they normally do not start new employees out at the minimum rate. Mr. Farrand finalized his report by indicating Human Resources Office reviews local competition rates, annually; with Sullivan County rates faring better than the median and benefits worth a lot.

3:52 *Mr. Farrand left the meeting.*

**AGENDA ITEM NO. 4. FACILITIES & OPERATIONS PROJECT UPDATES**

Boiler project at the Newport complex – Mr. Chanis noted this is an FY 07 approved project. The boiler is installed, piping is in place, they are operating the new cooling loop and waiting for a 1,000 gallon propane tank to be installed behind the Cooperative Extension building; once done, they'll test fire the boiler and make sure they can add heat to the loop. He confirmed the project looks great and Economy did a great job. He anticipates a huge savings at the Newport complex.

Electrical upgrade project at the Sullivan County Health Care facility – Mr. Chanis reminded them the electrical upgrade project at the nursing home was split between two fiscal years. FY 07 - redistributing power from emergency panels to the kitchen so that

they are in better shape when losing power and go on to generator. The second part was funding for the transfer switch, which they are awaiting for. Plus, they are awaiting the County Carpenter to return to build the wall in kitchen for the unit.

Wastewater pumping building demolition and construction of overflow tank – Mr. Chanis noted this was budgeted in FY 08. Pine Hill Excavating was mobilizing excavation work this week. He confirmed the project went out for bid, with three bids received. The approximate amounts were: \$210,000, \$180,000 and \$138,000, with Pine Hill the lowest, does not include construction of new building, which will be done in house. The project includes demolition, removal, cut foundation down to size and pour new frost walls. Materials for new building have been ordered.

Water wells update – Mr. Chanis reviewed a document (on file at the Commissioners Office in the meeting minutes binder) he distributed to the Board, which provided water well identification: DH-4, DH-5, and DH-6, their depths, original yields, current gpm and gallons. He noted DH-4 was taken off line in the '90's, but is unable to find data as to why. DH-5 was the well recently worked on when it's pump failed, possibly to a lightning strike. DH-5 & DH-6 are on line and running 24/7. He indicated they can store 175,000 gallons of water, but could loose 6" a day if the pumps are turned off. He recommended long-term plans, in the FY09 budget, to include development of a new well connected to the current water system. His guesstimate of costs were between \$50,000 - \$100,000, depending on well location and depth. He noted short-term plans could include drilling the current wells deeper and installing larger pumps. He confirmed there might be a potential to apply for a matching grant. He's concerned about going into the winter season with this situation. His recommendations:

- 1) drill DH-4 to depth of 1,000' and install a 7-10 h.p. pump with approximate cost \$4,200
- 2) drill DH-6 to a depth of approximately 500' and install 3-5 h.p. pump with approximate cost \$13,450

In response to an inquiry from Commissioner Barrette, Mr. Chanis confirmed a 5 h.p. pump was used in DH-5 as the well was pumped dry. He confirmed the static level is maintaining. They had a 360-foot static level while pumping. Mr. Gil de Rubio noted he and Mr. Chanis held a lengthy discussion regarding the DH-5 well, the pump size and reviewed the well drillers recommendation to use a larger pump. Mr. Chanis confirmed DH-4 and DH-6 were set up with three phase electrical wiring, unlike DH-5. In response to Board members inquiries as to why DH-4 was taken off line, Mr. Chanis briefed them on the research he did through previous and current employees and the State. Mr. Chanis confirmed the static level of DH-4 is at 300', only dropping a little when they were pumping on DH-5. The Board requested a more thorough investigation of why DH-4 was taken off line.

**AGENDA ITEM NO. 5 DOC REPORT: ALTERNATIVE SOLUTIONS ASSOCIATES CONTRACT, KEVIN WARWICK**

Mr. Gil de Rubio noted the consulting service contract with Kevin Warwick [Alternative Solutions Associates Contract] was up for renewal. He reminded the Board of Mr. Warwick's work with the DOC's inmate programs, and that he wrote the Juvenile Justice Planning grant. He indicated funds could be taken from the Commissary line, plus there is one position they will not be filling. The contract is for \$12,600 and is a duplicate of the past six-month contract. Mr. Cunningham noted he spoke to Mr. Warwick at length to review his work and future plans, moving forward with community corrections, classification process for the jail. He's reviewed the budgetary issues with Lori [Keefe, DOC Secretary] and there is approximately \$25,000 in the Commissary Fund transferred from 07 to 08. He feels Warwick is needed, is a good fit and met separately with Captain [Milliken] and Mr. Warwick, and likes the teamwork. It was noted the Commissary funds are non taxpayer funds - fees from inmates for phone usage and commissary products. The funds in the account can be used for inmate programming and equipment.

**4:25 A motion was made, by Commissioner Barrette, to accept the contract and pay for it out of Commissary Fund. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. Commissioner Nelson and Barrette are both in favor. Commissioner Jarvis noted "no, until she understands it better". Mr. Barrette noted, "if that is what it takes to bring in and implement community correction grants, than it's well worth it". The motion carried with the majority.**

Mr. Cunningham noted he would generate reports on the 25<sup>th</sup> of each month and will provide oral reviews, but would like to get away from the daily/weekly reports. Reports will be based on 12-month period; figures will include budgeted, future goals, what we do, whom we hire, and inmate disciplinary action.

Commissioner Jarvis questioned why they were receiving invoices with names blacked out. Mr. Gil de Rubio confirmed these were inmate names and this is done to comply with HIPAA regulations.

**AGENDA ITEM NO. 6 SULLIVAN COUNTY HEALTH CARE REPORT**

**AGENDA ITEM NO. 6.A. LANDMARK CLINICAL ASSESSMENT SUMMARY**

Mr. Laplante pointed out they received in their meeting binders a copy of his Landmark Clinical Assessment Summary (on file at the Commissioners Office in the meeting minutes binder). He noted, it's important to focus on certain systems that they are aware of needing support, to standardize clinical practice throughout the house, and that this is well under way – there is a good team of Unit managers. They received both internal and external interest with the Director of Nursing applicant search. Systems get put into place and during transition may slip; he feels there are just a few holes, nothing serious, but items that require standardization, just needing a little resurrection.

AGENDA ITEM NO. 6.B. MARKETING & PUBLIC RELATIONS – FIRST STEP

Mr. Laplante noted they started a positive public relations campaign, favorable press on goodness at the facility – getting the word out about the wonderful things happening. Mr. Gil de Rubio and Mr. Laplante held a press conference with a local reporter and developed a story around positive things happening. They are working on relationships with other community leaders, held a luncheon with Clare Bowen of Valley Regional - first time she visited the facility in a couple of years, and will work with her on medical practice/physician support in order to increase referrals. He will contact Bruce King at New London hospital. He spoke to importance of relationship with Dartmouth hospital. He is trying to reestablish the medical support and physician support in community. Creating a plan to invite press to the facility. They anticipate showing off the renovations on Stearns I that houses the short-term recovery unit area and will invite the Commissioners to celebrate this when opened. The internal maintenance staff is doing the work. Per Mr. Laplante, Mr. Chanis has plans for the lobby area that will create another opportunity for an open house – good publicity. He noted mid September is “*National Rehabilitation Week*” and they’ll feature the rehab department and put some success stories together. His goal: generate positive feedback and ultimately more referrals.

SIDE NOTE: HEATING COST

Commissioner Jarvis requested they keep them updated on the heating cost. Mr. Chanis is looking into switching propane suppliers.

Mr. Laplante pointed out there was a confidential envelope provided to the Board regarding FY 08 budget, and recommended reductions in salary expense in a couple of areas to keep up a viable operation. Commissioner Jarvis noted this issue, per the Right To Know law, has nothing to do with Executive Session. Mr. Gil de Rubio refuted that, noting it pertains to union issues in negotiation.

AGENDA ITEM NO. 6.D. PROBABLE EXECUTIVE SESSION PER RSA 91-A:3.II.C. AND D. - MEDICAL DIRECTOR CONTRACT

Commissioner Jarvis questioned why this issue needed to be in Executive Session. Mr. Laplante noted the last time they spoke regarding the issue they discussed financial discrepancies, personnel and a contract. Ms. Johnson-Callum quoted “*91-A:3.II.d. Executive Session: consideration of the acquisition, sale or lease of property which, if discussed in public, would likely benefit a party or parties whose interest are adverse to those of the general community.*” She pointed out a contract is County property and if they were speaking of contract negotiations, which could benefit someone else it could be considered under this RSA. Mr. Gil de Rubio concurred someone could take advantage of the situation.

AGENDA ITEM NO. 6.E. CENSUS

Mr. Laplante noted census is at 126 today. There were 16 deaths throughout June/July. Commissioner Jarvis pointed out their census is less than budgeted.



## **AGENDA ITEM NO. 7. COUNTY MANGER'S REPORT**

### **AGENDA ITEM NO. 7.A. UPDATE ON HB2**

Mr. Gil de Rubio indicated he attended the organizational meeting, introductions were held and a general look on where the committee would want to go was discussed. HB2 next meeting planned for 8/29/07.

### **AGENDA ITEM NO. 7.B. SULLIVAN COUNTY HEALTH CARE NURSING HOME RENEWAL APPLICATION LICENSE**

**4:52 Commissioner Nelson made a motion to authorize the Chair and Clerk to sign the [renewal] application for health care license. Commissioner Barrette seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

### **AGENDA ITEM NO. 7.D. PHASE II PANDEMIC PLANNING PROGRESS REPORT**

NH State DHHS Phase II Pandemic Planning Progress Report distributed to the Board (on file at the Commissioners' Office in the meeting minute binder).

### **SIDE NOTE – AUDIT**

Mr. Gil de Rubio indicated he spoke to Frank [Biron, Melanson, Heath and Co.], who's firm is still compiling data and will have something the final week of August or first week of September.

### **AGENDA ITEM NO. 6.D. PROBABLE EXECUTIVE SESSION PER RSA 91-A:3.II.C. AND D. – MEDICAL DIRECTOR CONTRACT/UNION NEGOTIATION MATTERS**

**4:56 A motion was made, by Commissioner Barrette, to go into Executive Session [Per RSA 91-A:3.II.c. and d.] to discuss the Medical Director contract and union negotiations. Commissioner Nelson seconded the motion. There was no discussion. A roll call vote was taken. The motion carried, unanimously.**

*4:57 The three Commissioners, Mr. Gil de Rubio, Mr. Laplante and Sharon Johnson-Callum reconvened in the Business Conference Room.*

**5:16 A motion was made, by Commissioner Barrette, to go out of Executive Session. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

There was no formal motion or decision required.

**5:17 A motion was made, by Commissioner Barrette, to go back into Executive Session for the Medical Director contract [Per RSA 91A.3.II.d].**

**Commissioner Nelson seconded the motion. There was no discussion. A roll call vote was taken, with all in favor.**

**5:27 A motion was made by Commissioner Barrette, to come out of Executive Session. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

No formal decision was needed.

*5:30 The group reconvened in the activities room with the following in attendance: Commissioners Jarvis, Nelson and Barrette, Mr. Gil de Rubio, Dave Laplante, Peter Franklin, Larry Converse and Sharon Johnson-Callum.*

**AGENDA ITEM NO. 8. COMMISSIONERS REPORT**

Commissioner Jarvis requested year-end expenses/revenues and a cash flow report. She noted, if the County Treasurer needs to borrow, they must know where the County stands.

Commissioner Nelson noted he spoke to Mr. Gil de Rubio regarding Representative Franklin's previous concerns and is assured it's being done.

Commissioner Barrette requested a policy for dissemination of information that puts a requirement on the request for information and response to be placed in writing; responses in writing within 3 business days. He requested Mr. Gil de Rubio draft a policy and have it for review at the next meeting.

Commissioner Barrette requested a policy on posting of meetings. He wants clear instruction to staff, that staff is not to post a meeting if it does not meet the requirements.

Commissioner Nelson pointed out Rep. Franklin had questions regarding the MS42. Mr. Gil de Rubio noted this form was complete by E.F.C. Chair, Brenda Ferland, who requested all inquiries to go through her. He confirmed his office staff was limited in working on the form, purposely, as the staff was brought into an uncomfortable situation in the past. He confirmed Mr. Graham was involved in a limited sense, but that Ms. Ferland knows all the "nuts and bolts", has all the working papers and details, and requested this action.

Commissioner Jarvis expressed concern about a piece of mail that arrived at the Commissioners Office, addressed to her, that was opened; and requested this not happen again.

## AGENDA ITEM NO. 9. PUBLIC PARTICIPATION

### REP. CONVERSE – UNITY COMPLEX WATER WELL ISSUES

Rep. Converse asked when the water problems began. Commissioner Barrette confirmed it started about 4-5 weeks ago, just after an electrical storm. The group brought Mr. Converse up to date on the work done and future plans. It was noted surface water is not used anymore, as it requires extensive treatment and goes through strict State criteria.

### REP. FRANKLIN – DELEGATION MEETING POSTING

Rep. Franklin admitted the Board was right, it was his mistake about the last meeting posting and feels the policy will make it very clear.

### REP. FRANKLIN – MS42 FORM

Rep. Franklin disagrees with the insertion that Ms. Ferland did the MS42, noted it was clearly done by staff as it is a transfers of information, feels it's the responsibility of the office to have the working papers and details on files for any questions he, other Delegates, or public have, pointed out he is required to sign the form, so must have the data when he requests it, noted he's, *"entitled to ask the staff and will now ask several questions, of which the County Manager will get those answer before I sign it"* and confirmed he would deliver the questions in writing tomorrow. He noted, account 4915 in appropriations section has \$15,000 to capital reserve; indicated there is no capital reserve fund and asked if this was the contingency fund? With out waiting for answer indicated it was in the wrong place. He noted, appropriation account 4800, that's a transfer from Registry of Deeds for \$75,322, an appropriation made in FY07 as both appropriation and revenue line 3912; last year the \$75,000 was for a specific purpose; this year exactly same amount, there is a revenue number but no appropriation. He wants an explanation of how this happened. He noted, an appropriation account 4914 and revenue line 3914 appropriation 2.3 million, roughly, to proprietary funds, and taking revenue from property funds of 1.6 million; questioned *"Where are those lines in the budget?"* He noted, appropriation account 4901 reflects \$615,500 for land and improvements. Chart of accounts from DRA lists that account for purchase of land or conservation purpose, or improvement to land; which is where fund 42 was put in; he noted, its improper and wants an explanation as to why it was placed in those lines.

### REP. FRANKLIN – REPAYMENT OF PREVIOUS BORROWING

Rep. Franklin, *"I believe we authorized a line of credit of 2.5 million in FY07, and authorized end of June an additional 2 million for FY08, we borrowed 2.5 in FY07 and borrowed 3 times \$500,000 in FY08, borrowed a total of 4 million and County Treasurer still has authorization for an additional \$500,000. Now that auditors have done their fieldwork, is any FY07 borrowed in FY07 repaid?"* Mr. Gil de Rubio replied, *"not to my knowledge"*. He then questioned, *"so MQIP funds in July, which you credited to '07 were not used to pay down what was borrowed?"* Mr. Gil de Rubio indicated he informed the County Treasurer on how to do it. Mr. Gil de Rubio debated with Mr. Franklin guidance protocol for the County Treasurer on borrowing and repaying the line of credit. Mr. Gil de Rubio recommended Mr. Franklin speak to the County Treasurer on further questions with this issue.

REP. FRANKLIN - PROPOSED BORROWING REQUEST FROM TREASURER

Rep. Franklin noted if there was going to be a proposed borrowing request from the Treasurer, to come before the Delegate, he must have a cash flow analysis of July/August, what to expect for expenses with itemized numbers, dates, amounts, particularly major expenses dates/times, and a projection on how much will be used in the line of credit between now and 12/17/07. He insisted the Commissioners request a meaningful cash analysis, such as Jeff Graham previously did, which he then concluded wasn't very accurate.

REP. FRANKLIN - GRANT QUESTIONS

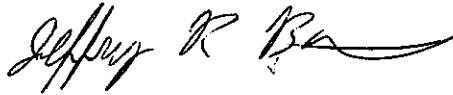
Rep. Franklin asked if there was a treatment program at county jail FY 07? Mr. Gil de Rubio confirmed the SCIP [Sullivan County District Court Intervention Program], which was part of the Governor's Commission [on Alcohol, Substance and Tobacco Abuse Prevention, Intervention and Treatment grant], and the program was held at the facility. Mr. Franklin said "*No. Was there any actual program?*" within the DOC. Mr. Gil de Rubio confirmed the LADC (Licensed Alcohol and Drug Counselor) provides counseling to all County inmates, but noted he did not have her exact schedule for services within this program. Mr. Gil de Rubio confirmed there were other counseling services provided at the facility through West Central Services and The Covered Bridge/Wreatha Gendron. Mr. Franklin indicated he visited DHHS to inquire about grants, as in '06 and '07, the County received \$115,000; first year that money was divided among SCIP, PAT (Parents As Teachers), SFP (Strengthening Families Program) and the Student Counselor Program. That program was changed in '07, and treatment part was discontinued with miss management, and '08 PAT and SFP were just funded. He noted the full \$115,000 was not used. Mr. Gil de Rubio pointed out this did not mean mismanagement, but that they were able to run the programs more efficiently. Rep. Franklin indicated in his talk with the DHHS representative they had indicated the programs are worthwhile and the fact they were not funded indicated they were not done properly. Mr. Gil de Rubio asked who at the State level provided him with that information that the programs were mismanaged? He noted with the application they submitted this year, on of the copies, they were told, was missing. Mr. Franklin noted he spoke to "Ms. Shannon".

REP. FRANKLIN - REQUESTED INFORMATION

Rep. Franklin noted he's only received two answers to all the requests he's received from July requests and he has a responsibility. He indicated he's asked for a copy of the Administrator contract, the 501.c. for The Meadows, and the Genesis contract. He asked where in the FY08 budget was the \$1,500 [priority deposit] amount for The Meadows? Mr. Gil de Rubio noted they asked the auditors and were instructed to place it in a separate savings account, but he'd need to check on the status. Commissioner Barrette requested Mr. Franklin to also place that question in writing. Mr. Franklin asked what the financial relationship was between the 501.c and the County if, for example the person who made the \$1,500 wants his money back? Mr. Gil de Rubio confirmed The Meadows was a non-profit, with a 501.c.3, and that the Commissioners were the Board of Directors until the non-profit Board was formed.

**6:21 A motion was made, by Commissioners Barrette, to adjourn the meeting. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

*Respectfully submitted,*

A handwritten signature in cursive script, appearing to read "Jeffrey R. Barrette", with a long horizontal flourish extending to the right.

*Jeffrey Barrette, Clerk  
Board of Commissioners*

*JB/s.j-c.*

*Date signed: 9/20/07*